

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DUANE DAMONTE CUTCHMBER,)	
)	
Petitioner,)	
)	1:20-cv-375
v.)	1:18-cr-381-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER


On November 17, 2021, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 49, 50.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 49), is **ADOPTED. IT IS FURTHER ORDERED** that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255, (Doc. 41), is **DENIED**, and that this action is hereby, **DISMISSED**. The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment is entered contemporaneously herewith.

This the 9th day of March, 2023.


United States District Judge